

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN BUELSING,	:	NO. 1:12-CV-00085
	:	
Plaintiff,	:	
	:	
vs.	:	ORDER
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.	:	

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 14), to which there were no objections. The Magistrate Judge reviewed each of Plaintiff's assignments of error, and concluded the ALJ's finding of non-disability was not supported by substantial evidence, and therefore this case should be remanded (Id.).

Proper Notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation thorough, well-reasoned, and correct. Accordingly,

the Court hereby ADOPTS and AFFIRMS the Magistrate Judge's Report and Recommendation in all respects (doc. 14), REVERSES the decision of the Commissioner denying Plaintiff DIB benefits, and REMANDS this matter under sentence four of 42 U.S.C. §405(g). The Administrative Law Judge is instructed on remand to 1) obtain consultative examinations and functional assessments of Plaintiff's mental and physical abilities in order to properly determine Plaintiff's residual functional capacity; 2) properly weigh the evidence of record and give specific reasons for the weight assigned to each source, and 3) properly consider Plaintiff's credibility and complaints of pain, and provide a clear explanation for the conclusions reached therein. This case is CLOSED on the Court's docket.

SO ORDERED.

DATED: March 21, 2013 s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge